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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 8

Application Number	10/765,384
Filing Date	January 27, 2004
First Named Inventor	VINEET KUMAR SARIN
Art Unit	3733
Examiner Name	Tara S. George
Attorney Docket Number	KIN017

ENCLOSURES (Check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
Executed Power of Attorney (1 page);
Statement Under 37 CFR 3.73(b) (1 page);
Executed Assignment (3 pages);
Return Postcard |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	KOPPEL, PATRICK, HEYBL & DAWSON
Signature	
Printed name	STEVEN C. PATRICK
Date	January 9, 2009

Reg. No. 40,341

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	JOAN HARRIMAN

Date January 9, 2009

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FREE TRANSMITTAL
For FY 2009☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) N/A

Complete if Known

Application Number	10/765,384
Filing Date	January 27, 2004
First Named Inventor	VINEET KUMAR SARIN
Examiner Name	Tara R. George
Art Unit	3733
Attorney Docket No.	KIN017

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 11-1580 Deposit Account Name: STEVEN C. PATRICK

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>10</u> - 20 or HP = <u>0</u> x <u>26</u> = <u>0</u>			
HP = highest number of total claims paid for, if greater than 20.			

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>3</u> - 3 or HP = <u>0</u> x <u>110</u> = <u>0</u>			
HP = highest number of independent claims paid for, if greater than 3.			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>100</u> - 100 = <u>0</u> / 50 = <u>0</u> (round up to a whole number) x <u>270</u> = <u>0</u>				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)

SUBMITTED BY

Signature	<u>Steven C. Patrick</u>	Registration No. (Attorney/Agent) <u>40,341</u>	Telephone (805) 373-0060
Name (Print/Type)	STEVEN C. PATRICK		Date January 9, 2009

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

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FREE TRANSMITTAL
For FY 2009☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

N/A

Complete if Known

Application Number	10/765,384
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First Named Inventor	VINEET KUMAR SARIN
Examiner Name	Tara R. George
Art Unit	3733
Attorney Docket No.	KIN017

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 11-1580 Deposit Account Name: STEVEN C. PATRICK

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

52 26

Each independent claim over 3 (including Reissues)

220 110

Multiple dependent claims

390 195

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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10 - 20 or HP =	0	x	26	=	0
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Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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3 - 3 or HP =	0	x	110	=	0
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HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 =		/ 50 =		(round up to a whole number) x		=	
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature

Registration No. 40,341
(Attorney/Agent)

Telephone (805) 373-0060

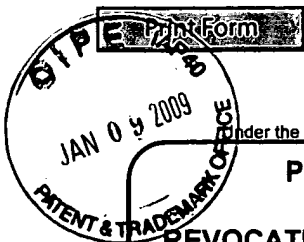
Name (Print/Type)

STEVEN C. PATRICK

Date January 9, 2009

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**POWER OF ATTORNEY
OR
REVOCATION OF POWER OF ATTORNEY
WITH A NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/765,384
Filing Date	JANUARY 27, 2004
First Named Inventor	V. SARIN
Title	NON-IMAGING, COMPUTER ASSISTED NAVIGATION _
Art Unit	3733
Examiner Name	T. GEORGE
Attorney Docket Number	K1N017

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

23935

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.

OR

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Clyde R. Pratt</i>	Date	12/5/08
Name	Clyde R. Pratt	Telephone	805-384-2748
Title and Company	Chairman & CEO, KINAMED INC		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: KINAMED, INC.Application No./Patent No.: 10/765,384Filed/Issue Date: January 27, 2004Entitled: NON-IMAGING, COMPUTER ASSISTED NAVIGATION SYSTEM FOR HIP REPLACEMENT SURGERY

KINAMED, INC.

, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Clyde R. Pratt
Signature

Clyde R. Pratt

Printed or Typed Name

Chairman & CEO
Title

12.5.08

Date

805.384.2748

Telephone Number

A S S I G N M E N T

We, Vineet Kumar Sarin (residing at 1800 Hillcrest Drive, Apt 236, Thousand Oaks, CA 91320), Clyde Ronald Pratt (residing at 5898 La Cumbre, Somis, CA 93066), Mark Edward Apgar (residing at 1420 Gazenia Court, Oxnard, CA 93030), and William Ralph Pratt (residing at 141 Hope Road, Newbury Park, CA 91320) represent that we have invented improvements in a new and useful "NON-IMAGING, COMPUTER ASSISTED NAVIGATION SYSTEM FOR HIP REPLACEMENT SURGERY", for which we have executed an application for Letters Patent of the United States of America, identified as Application Serial Number 10/075,796.

KINAMED, INC. (KINAMED) is a California corporation organized and existing under the laws of the State of California, has a place of business at, 820 Flynn Road, Camarillo, CA 93012 and desires to acquire the entire right, title and interest in and to the invention, application and letters patent to be granted and issued thereon.

For valuable consideration, the receipt and legal sufficiency of all of which we acknowledge, we have sold and do hereby sell, assign, transfer and set over unto KINAMED, its successors and assigns, the entire right, title and interest in and to the invention and all improvements thereon, in and to the application for letters patents thereon, in and to applications pertaining to or based upon the invention and application, including divisional and continuing applications, continuations-in-part, and PCT Applications, and in and to any and all letters patent which may be granted and issued on the invention and applications, or any of them, in the United States of America, its territories and possessions, and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

We also agree that we will, at the request of KINAMED, execute any and all applications for letters patent for the invention, execute any and all other papers and documents and do all other and further lawful acts that KINAMED may deem necessary or desirable to obtain letters patent on the invention, to secure the grant of such letters patent and to protect and vest in KINAMED, the undivided interests in the right, title and interest in the invention, applications and letters patent.

We also authorize and empower KINAMED, its successors and assigns to apply for and obtain, in its or their own names, letters patent for the invention before competent International Authorities and in any and all countries foreign to the United States in which applications for letters patent can be so made or letters patent so obtained.



VINEET KUMAR SARIN

2/3/03

Date



CLYDE RONALD PRATT

2/2/03

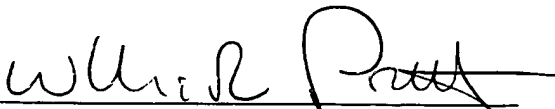
Date



MARK EDWARD APGAR

2/3/03

Date



WILLIAM RALPH PRATT

2/3/03

Date

ASSIGNMENT

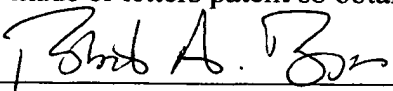
I, Robert A. Bruce (residing at 100 South Dunning Street, Ventura, CA 93003), represent that I have invented improvements in a new and useful "NON-IMAGING, COMPUTER ASSISTED NAVIGATION SYSTEM FOR HIP REPLACEMENT SURGERY", for which I have executed an application for Letters Patent of the United States of America, filed on January 27, 2004 and identified as Application Serial Number 10/765,384.

KINAMED, INC. (KINAMED) is a California corporation organized and existing under the laws of the State of California, has a place of business at 820 Flynn Road, Camarillo, CA 93021, and desires to acquire the entire right, title and interest in and to the invention, application and letters patent to be granted and issued thereon.

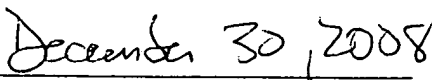
For valuable consideration, the receipt and legal sufficiency of which I acknowledge, I have sold and do hereby sell, assign, transfer and set over unto KINAMED, its successors and assigns, the entire right, title and interest in and to the invention and all improvements thereon, in and to the application for letters patent thereon, in and to applications pertaining to or based upon the invention and application, including divisional and continuing applications and continuations-in-part, and in and to any and all letters patent which may be granted and issued on the invention and applications, or any of them, in the United States of America, its territories and possessions, and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

I also agree that I will, at the request of KINAMED, execute any and all applications for letters patent for the invention, execute any and all other papers and documents and do all other and further lawful acts that KINAMED may deem necessary or desirable to obtain letters patent on the invention, to secure the grant of such letters patent and to protect and vest in KINAMED the undivided interests in the right, title and interest in the invention, applications and letters patent.

I also authorize and empower KINAMED, its successors and assigns to apply for and obtain, in its or their own names, letters patent for the invention before competent International Authorities and in any and all countries foreign to the United States in which applications for letters patent can be so made or letters patent so obtained.



Robert A. Bruce



Date